

REMARKS

Claims 1-19 were pending.

Claims 1-19 are rejected.

Claim 1 is amended.

Claims 20-27 are new.

Claims 1-27 are pending.

Amended Claim 1

Claim 1 is amended to make clear the steps required. It is important that the second flocculant work on the thickened suspension and that the particles making up the second flocculant are mixed throughout the thickened suspension and bring about the further dewatering.

Support for the explicit steps may be found for the thickening step on page 5, lines 16-18 and 24-25 (thickening);

Support for release of free water may be found on page 5, lines 24-25.

Support for mixing the thickened suspension, wherein the second flocculant particulates are distributed throughout the thickened suspension of step ii.), may be found on page 6, lines 1-10.

No new matter is added.

New Claims 20-27

New Claim 20 is supported on page 7, line 14.

New claim 21 is supported on page 9, line 9.

New claim 22 is supported on page 9, lines 11 and on page 10, lines 6.

New claim 23 is supported on page 10, line 7.

New claim 24 is supported on page 10, lines 5-6.

New claim 25 is supported on page 14, line 6.

New claim 26 is supported on page 6, lines 27-28.

New claim 27 is supported on page 5, line 19.

No new matter is added.

35 USC 103(a)

Claims 1-13 and 15-17 are rejected under 35 USC 103(a) as being unpatentable over McGrow, US 5,213,693 in view of Batty, US 5,834,545.

Claim 14 is rejected under 35 USC 103(a) as being unpatentable over McGrow, in view of Batty and further in view of Sorensen, US 5,846,433.

Claim 18 and 19 are rejected under 35 USC 103(a) as being unpatentable over McGrow, US 5,213,693 in view of Batty, US 5,834,545 as above and further in view of Ghafoor, US 6,001,920.

McGrow describes the flocculation and dewatering of a suspension of organic solids by filtration on a filter press or belt press by substantially distributing throughout the suspension dissolved cationic coagulant polymer that has an intrinsic viscosity between 0.2 and 3 dl/g and dissolved cationic flocculant polymer that has an intrinsic viscosity above 5 dl/g (see column 2, lines 58 to 66).

The examiner acknowledges that the claims of the instant invention differ from McGrow in that the second flocculant is mixed into the suspension in the form of particulate polymer.

The examiner states that Batty et al discloses that it is known in the art to mix a flocculant composition including polymer particles with a suspension to aid in dewatering the suspension. From this the examiner concludes that it would have been obvious to modify the process of McGrow by utilizing the recited particulate polymer in view of the teachings of Batty.

In regard to the rejection of claim 14, examiner believes it would have been obvious to one skilled in the art to modify the references as applied above by utilizing the recited particles in view of the teachings of Sorensen.

In regard to the rejection of claims 18 and 19, examiner believes Ghafoor to disclose that it is known in the art to utilize polyethylene glycol to aid in stabilizing a polymer coagulant utilized in flocculating sludge suspensions.

However, the present claim 1 requires a thickening step ii.) with release of free water and a mixing step of the thickened suspension in step ii.) wherein the second flocculant particles are present in the thickened suspension.

McGrow does not teach such a thickening step followed by a mixing step wherein the second flocculant particles **are present in the thickened suspension**. Neither Batty, Sorensen or Ghafoor make up for this deficiency.

Declaration under 132

Further Applicants submit a Declaration from one of the inventors, Tony Whittaker. The Declaration confirms that the particulate second flocculant would have had insufficient time to dissolve and therefore is present as particulate in the thickened suspension. As stated in the Declaration:

Evidences that the polymer particles have had insufficient time to dissolve is clearly demonstrated in the example in Table 1. If the dry polymer particles of data set 3 had quickly dissolved then dry polymer particles would not be present in the thickened suspension and the results would have been comparable to the results of data set 1, where polymer B was fully dissolved at the start. The presence of dry polymer particles in the thickened suspension of data set 3 is further supported by the comparable results obtained with data set 4, wherein the dry polymer particles are only added into the suspension on completion of the thickening stage.

Applicants have amended the claims to explicitly require a thickening step with release of free water. Further a mixing step is added which recites mixing of the thickened suspension wherein the second flocculant particles are distributed throughout the thickened suspension in step ii.). None of the cited references together or separately suggests such steps. Thus there is no overlap and the rejection is overcome.

Double Patenting Rejections

Claims 1-11, 18 and 19 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 and 5-14 of copending 10/591,776 (Case 22354).

Applicants request to put off the submitting of terminal disclaimers until the state of the allowed claims is known. At that time, the suitability of such disclaimers can be better determined.

New Dependent Claim Fee

Applicants enclose the required additional dependent claim fee for new claims 21-27.

Reconsideration and withdrawal of the rejection of claims 1-19 is respectfully solicited in light of the remarks and amendments *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-27 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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Enclosures: Declaration under 1.132 and new claims fee.